

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

In re:

Case No. 8:19-bk-04542-RCT

Chapter 7

Frank Natiello

Louisa-Anne R. Natiello,

Debtor(s).

**TRUSTEE'S LIMITED OBJECTION TO MOTION
FOR RELIEF FROM AUTOMATIC STAY BY LOANCARE, LLC**

Christine L. Herendeen, the Trustee in the above captioned Chapter 7 case, by and through her undersigned counsel, files this Limited Objection to Motion for Relief from Stay by Loancare, LLC (Doc. No. 18) and states as follows:

1. On May 14, 2019, the Debtors filed a Chapter 7 Petition, and Christine L. Herendeen was appointed as Trustee.
2. On July 19, 2019, Loancare, LLC (the “**Secured Creditor**”) filed a Motion for Relief from the Automatic Stay.
3. The Debtors listed the real property at 8 Sandy Hill Road, Hamburg, NJ 07419 on Schedule A with a current value of \$182,700.00 and a first mortgage of \$113,932.00. According to Zillow.com, the value of the property is \$214,105.00. A copy of the Zillow value is attached hereto as Exhibit “A” and incorporated herein by reference.
4. Due to the equity above the first mortgage, the Trustee intends to sell the property; moreover, the equity cushion provides the Secured Creditor with adequate protection. The Trustee intends to employ a real estate broker who has reviewed the property and believes there is sufficient equity to sell the property, to pay the first mortgage creditor and closing costs in full,

and to provide funds for distribution by the estate to the under secured second mortgage creditor and the general unsecured creditors.

5. The Trustee would request that Loancare, LLC be directed to communicate with her, providing payoff information and communicating with her generally, as necessary to administer and sell the real property. The motion filed by Loancare, LLC sets forth the unpaid principal balance; however, it does not provide payoff information.

WHEREFORE, the Trustee requests the entry of an Order Denying the Motion for Relief from the Automatic Stay, or in the alternative, abating the motion to allow her and opportunity to market and sell the real property, directing Loancare, LLC to communicate with the Trustee, and for any other relief this Court deems appropriate

Respectfully submitted,

/s/ Christine L Herendeen

Christine L. Herendeen
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Herendeen Law, LLC
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Tampa, FL 33684
(813) 438-3833
Attorney for Chapter 7 Trustee

CERTIFICATE OF SERVICE

I CERTIFY that on September 5, 2019 a true and correct copy of the foregoing was served by electronic delivery or U.S. Mail to the following:

Office of the United States Trustee, 501 E. Polk Street, Suite 1200, Tampa, FL 33602

Frank and Louisa-Anne Natiello, 8027 Sealawn Dr, Spring Hill, FL 34606

Sandra H Day, The Day Law Office, 4108 Deltona Blvd., Spring Hill, FL 34606

Stefan Beuge, Esq., Phelan Hallinan Diamond & Jines, PLLC, Attorney for Loancare, LLC,
2001 NW 64th Street, Suite 100, Ft Lauderdale, FL 33309

/s/ Christine L Herendeen

Christine L. Herendeen, Trustee

8 Sandy Hill Rd, Hamburg, NJ 07419

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< Information Home value Price and tax history Monthly costs >

Home value

Zestimate®

\$214,105

Estimated sales range: \$167,000 - \$244,000

Zestimate history

— This home \$214.1K - 07419 \$216.1K --- Hardyston Township \$233.9K

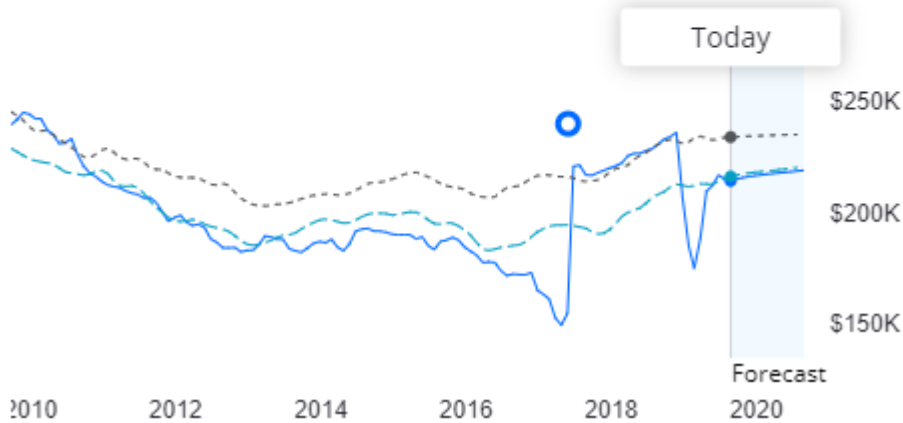


EXHIBIT "A"